

**IC 8-15.5**

**ARTICLE 15.5. PUBLIC-PRIVATE AGREEMENTS  
FOR TOLL ROAD PROJECTS**

**IC 8-15.5-1**

Chapter 1. General Provisions

**IC 8-15.5-1-1**

**Supplemental nature of powers conferred by article**

Sec. 1. The powers conferred by this article are in addition and supplemental to the powers conferred by any other law. If any other law or rule is inconsistent with this article, this article is controlling as to any public-private agreement entered into under this article.

*As added by P.L.47-2006, SEC.39.*

**IC 8-15.5-1-2**

**Complete authority for public-private agreements; limitations**

Sec. 2. (a) This article contains full and complete authority for public-private agreements between the authority and a private entity. Except as provided in this article, no law, procedure, proceeding, publication, notice, consent, approval, order, or act by the authority or any other officer, department, agency, or instrumentality of the state or any political subdivision is required for the authority to enter into a public-private agreement with a private entity under this article, or for a toll road project that is the subject of a public-private agreement to be constructed, acquired, maintained, repaired, operated, financed, transferred, or conveyed.

(b) Notwithstanding any other law, after August 1, 2006, neither the authority nor the department may:

- (1) issue a request for proposals for; or
- (2) enter into;

a public-private agreement under this article that would authorize an operator to impose tolls for the operation of motor vehicles on all or part of a project, unless the general assembly adopts a statute authorizing the imposition of tolls.

(c) Notwithstanding any other law, neither the authority nor an operator may carry out any of the following activities under this article unless the general assembly enacts a statute authorizing that activity:

- (1) Carrying out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).
- (2) Imposing tolls on motor vehicles for use of the part of an interstate highway that connects a consolidated city and a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).

*As added by P.L.47-2006, SEC.39.*

**IC 8-15.5-1-3**

**Findings by general assembly**

Sec. 3. The general assembly finds and determines that:

- (1) the state has limited resources to fund the maintenance and expansion of the state transportation system, including toll roads, and therefore alternative funding sources should be developed to supplement public revenue sources;
- (2) the Indiana finance authority should be authorized to solicit, evaluate, negotiate, and administer agreements with the private sector for the purposes described in subdivision (1); and
- (3) it is necessary to serve the public interest and to provide for the public welfare by adopting this article for the purposes described in this article.

*As added by P.L.47-2006, SEC.39.*